

**UTILITY PATENT APPLICATION  
TRANSMITTAL**

(For new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.  
First Named Inventor

GM50050C2  
Konstantinidis, et al.

**"EXPRESS MAIL CERTIFICATE"**

"EXPRESS MAIL" MAILING LABEL NUMBER **EV 332 944 058 US** DATE OF DEPOSIT: **23 September 2003**

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to:

COMMISSIONER FOR PATENTS, MAIL STOP: PATENT APPLICATION, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

NAME OF PERSON MAILING PAPER OR FEE  
(TYPE OR PRINT) Emma Dennis

SIGNATURE

*Emma Dennis*

03914 U.S. PRO  
10/666588  
09/23/03

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 19-2570  
 General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3))  
(Submit an original, and a duplicate for fee processing)
2.  The total fee is calculated as shown below:  

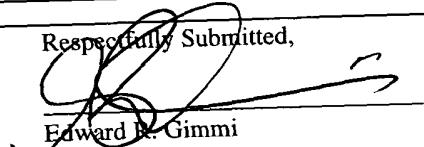
Basic Filing fee	\$750.00
Total Claims 22 - 20 = 2 x \$18	\$ 36.00
Independent Claims 14 - 3 = 11 x \$84	\$924.00
<input type="checkbox"/> Multiple Dependent Claim present. \$280	
<b>TOTAL FILING FEE</b>	<b>\$1,710.00</b>

 Cancel in this application original claims \_to \_of the prior application before calculating the filing fee.  
 Charge **\$1,710.00** to the above indicated Deposit Account.
- 3a.  Specification excluding Drawings [Total Pages] 46
- 3b.  Abstract on a separate sheet [Total Pages] 1
4.  Drawing(s) (35 USC 113) [Total Sheets] \_\_\_\_\_
5.  Declaration and Power of Attorney [Total Pages] 3
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17a completed)
  - c.  Unsigned Declaration  
*[Note Box 6 below]*
    - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Incorporation By Reference (*useable if Box 5b is checked*)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7.  The Title of the Invention:  
Methods of Modulating FabH Activity
8.  Nucleotide and/or Amino Acid Sequence Submission
  - a.  Computer Readable Copy
  - b.  Paper Copy (identical to computer copy)
  - c.  Statement verifying identity of above copies
  - d.  Use the identical computer-readable form filed in Application No. 10/443,432, filed 22 May 2003, as the computer-readable form for the instant application. (37 CFR 1.821(e))
9.  ACCOMPANYING APPLICATION PARTS
  - a.  Information Disclosure Statement (IDS)
  - b.  PTO-1449
  - c.  Copies of all IDS Citations
10.  Assignment Papers (cover sheet & document(s))
11.  Prior Application is Assigned to:  
SmithKline Beecham Corporation and  
SmithKline Beecham p.l.c.  
(for continuation/divisional with Box 17a completed)
12.  Preliminary Amendment [Total Pages] 3
13.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15.  Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. 10/443,432 filed 22 May 2003. A PTO-1449 listing the references is enclosed.
16.  Other: \_\_\_\_\_

17.  Priority Information, check appropriate box and supply the requisite information
 

a.	<input checked="" type="checkbox"/> Continuation	<input type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-part (CIP)
of prior application No: <u>10/443,432</u> , filed <u>22 May 2003</u> .			
b.	<input type="checkbox"/> Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications: Application No. _____ filed _____		
c.	** Add claim to priority via Preliminary Amendment.		

Correspondence Address:	GLAXOSMITHKLINE Corporate Intellectual Property - UW2220 P.O. Box 1539 King of Prussia, PA 19406-0939	Signature Name	Respectfully Submitted,  Edward R. Gimmi
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20462

PATENT TRADEMARK OFFICE

**"EXPRESS MAIL CERTIFICATE"**  
**"EXPRESS MAIL" MAILING LABEL NUMBER EV 332 944 058 US**  
**DATE OF DEPOSIT 23 September 2003**

Attorney Docket No.: GM50050C2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Konstantinidis, *et al.*                            23 September 2003

Serial No.: To Be Assigned                                    Group Art Unit No.: Unknown

Filed: Herewith    Examiner: Unknown

For: Methods of Modulating FabH Activity

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE  
WITH 37 CFR §§ 1.821 THROUGH 1.825**

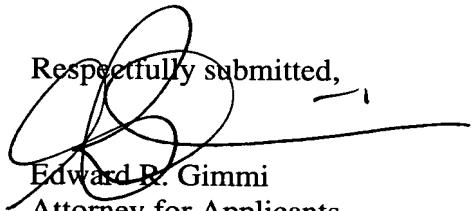
Commissioner for Patents  
Mail Stop: Patent Application  
P.O. Box 1450  
Alexandria, Va 22313-1450

- ( X ) I hereby state that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are the same.
- ( X ) I hereby state that the submission filed in accordance with 37 CFR §1.821 (g) does not include new matter.
- ( ) I hereby state that the submission filed in accordance with 37 CFR §1.821 (h) does not include new matter or go beyond the disclosure in the international application as filed.
- ( ) I hereby state that the amendments, made in accordance with 37 CFR §1.825 (a), included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages \_\_\_\_\_. I hereby state that the substitute sheet(s) of the Sequence Listing does (do) not include new matter.
- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.

Serial No.: To Be Assigned  
Group Art Unit No.: Unknown

- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, is identical to that originally filed.

Respectfully submitted,

  
Edward R. Gimmi  
Attorney for Applicants  
Registration No. 38,891

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